

UNITED STATES
v.
ROBERT A. RUKKE,
REGISTERED AGENT,
VALUMINES, INC., ET AL.

IBLA 77-150

Decided September 12, 1977

Appeal from decision of Administrative Law Judge R. M. Steiner declaring various mining claims and millsites null and void (Contest Nos. OR-14220 (Wash.), et al.).

Affirmed.

1. Millsites: Determination of Validity--Mining Claims: Millsites

Where millsites are not used for mining or milling purposes in conjunction with a mining claim, and where no quartz or reduction works exist on the millsites, the millsites are properly declared null and void.

2. Mining Claims: Determination of Validity--Mining Claims:
Discovery: Generally

In order to establish the existence of a discovery on a lode mining claim, there must be found within the limits of the claim a vein or lode of quartz, or other rock in place, bearing mineral of such quality and quantity that a person of ordinary prudence would be justified in the further expenditure of his labor and means, with a reasonable prospect of success, in developing a paying mine. If more than one claim is contested, evidence establishing the existence, or non-existence, of a discovery must be shown for each claim.

3. Administrative Procedure: Burden of Proof--Mining Claims:
Contests--Mining Claims: Determination of Validity

In mining claim contests, the United States has assumed the burden of establishing a prima facie case that no discovery has been made on the mining claims by the contestee; the burden of proof then shifts to the contestee to show by a preponderance of the evidence that a discovery has been made and still exists within the limits of each mining claim. Evidence which may justify further exploration is insufficient either to establish a discovery or to overcome a prima facie case of lack of discovery.

4. Administrative Procedure: Burden of Proof--Mining Claims:
Determination of Validity

A prima facie case of lack of discovery of a valuable mineral deposit is established when a mineral examiner testifies for the United States that he examined each claim and could find no evidence showing the discovery of a valuable mineral deposit.

5. Administrative Procedure: Hearings--Evidence: Admissibility--
Evidence: Hearsay--Hearings--Mining Claims: Assays--Mining
Claims: Hearings

The rule of evidence excluding hearsay is not strictly adhered to in administrative proceedings, particularly where the evidence, such as assay reports with a proper foundation concerning the sampling, submission of the samples for assaying, and the reputation of the assayer, is competent and relevant. After such reports are admitted, the factfinder may give them appropriate weight according to the circumstances surrounding the specific report.

6. Administrative Procedure: Burden of Proof--Evidence: Generally--
Mining Claims: Determination of Validity

When a mineral examiner testifies for the United States that a discovery has

not been made on a mining claim, his opinion must be based on a proper factual foundation. However, he is not required to perform discovery work, to explore or sample beyond a claimant's workings, or to excavate or rehabilitate any purportedly mineralized area which is concealed by overburden or is otherwise difficult of access. Under proper circumstances, the testimony of the mineral examiner may establish a prima facie case of lack of discovery even though he was not physically on each mining claim.

7. Mining Claims: Discovery: Generally--Mining Claims: Withdrawn Land--Withdrawals and Reservations: Effect of

When land is withdrawn from the operation of the mining laws subject to valid existing rights, such as by the creation of the North Cascades National Park on October 2, 1968, the validity of a mining claim located prior to the withdrawal must be established as of the date of the withdrawal as well as of the date of the hearing.

APPEARANCES: David B. Condon, Esq., Griffin & Enslow, P.S., Tacoma, Washington, for appellants (on appeal only); John McMunn, Esq., Office of the Solicitor, San Francisco, California, for the United States.

OPINION BY ADMINISTRATIVE JUDGE THOMPSON

This is an appeal from the January 13, 1977, decision of Administrative Law Judge R. M. Steiner declaring null and void various lode mining claims and millsites located in the North Cascades National Park. ^{1/} The decision resulted from two hearings: the first, held on June 22, 1976, for the majority of the mining claims and hereafter referred to as transcript "a." (a. Tr.); and the second, held on September 22, 1976, for contest No. OR-14258 (Wash.) involving only the Cliff lode mining claim and hereafter referred to as transcript "b." (b. Tr.).

Each contest complaint listed the owners of the claims as shown in the Appendix. Valumines, Inc., is the only contestee with an

^{1/} The mining claims, millsites and contestees are listed by contest number in the Appendix to this decision.

interest in all the claims at issue. Valumines is the surviving corporation of a 1964 merger between Valumines, Inc., organized by Robert A. Rukke and others, and Soren Mining and Milling Co., organized by Mr. and Mrs. William R. Soren. Currently, Mr. Soren is President and a Director of Valumines, and Mr. Rukke is Secretary and also a Director (Ex. 11). Mr. Rukke was named in each complaint as the registered corporate agent. Only Mr. Soren and Mr. Rukke testified on behalf of the contestees regarding discoveries on the mining claims, although Mrs. Soren made a brief statement on their good faith mining intentions.

Each of the contest complaints alleged that minerals had not been found on any of the mining claims at issue "in sufficient quality and/or in sufficient quantity to constitute a discovery under the mining laws." The mining claims had all been located prior to the withdrawal of the land from location under the mining laws, subject to valid existing rights, by the establishment of the national park on October 2, 1968. 16 U.S.C. § 90 (1970); 43 CFR 3811.2-2.

At the hearings, the Government called Charles T. Weiler, a mining engineer employed by the National Park Service, as a witness. He testified that he personally examined all the mining claims except the Summit, Skagit, Glacier, Davenport, Daveno, Granite No. 3, Tiger Jack and Tiger (a. Tr. 43-44). He testified that to his knowledge no minerals had ever been sold from any of the claims (a. Tr. 20, 49, 61, 64, 68-71). He took samples from an adit and a stockpile when examining Diamond No. 1 but stated that since all mineralization occurs on the adjacent patented Diamond mine into which the adit extends, the samples were not actually of material located on the Diamond No. 1 claim (a. Tr. 21, 33-34). He also removed samples from the Dorothy, Elsie, and Kalpa Nos. 1 and 2 claims. The assay reports on all the samples were excluded by Judge Steiner as hearsay because the assayer was not present to testify and to be subject to cross-examination (a. Tr. 31, 42, 57). Weiler expressed the opinion that, based upon his experience, education, and investigation of the claims, a prudent man would not be justified in the further expenditure of his labor and means with a reasonable prospect of success in developing a valuable mine or mines on any of the mining claims (a. Tr. 73; b. Tr. 8). He also testified that the millsites are not being used for mining or milling purposes and there are no quartz or reduction works in operation on any of them (a. Tr. 75).

For the contestees, Rukke stated that in his opinion discoveries of valuable mineral deposits had been made on the Summit, Glacier, Davenport, Granite Nos. 1 and 2, and Hub claims (a. Tr. 126-29). He also stated that actual mining activity is only being conducted on the Diamond No. 1 claim (a. Tr. 167-68). He offered no probative evidence of such discoveries but relied on maps given him by his granduncle and personal observation. Soren also testified concerning

the mining activity on the Diamond No. 1 claim. He stated that in his opinion discoveries had been made on the Diamond No. 1, Midas Nos. 1 and 2, Dorothy, Sierra Grande, Stem Winder and Ontario claims (a. Tr. 174-82). Again, appellants introduced no probative evidence of such discoveries. Appellants did offer a 1948 assay report in the form of a printed letter from Norman D. Lindsley, a consulting mining engineer now deceased (Ex. E). The report was not specific concerning sampling areas and techniques but did recommend the commencement of mining. The report was not accepted into evidence as being hearsay (a. Tr. 133-34).

The testimony regarding the mining activity on the Diamond No. 1 claim indicates that a mill operating since 1976 is partially located on the claim as well as a waste dump and the portal to an adit extending onto the adjoining patented Diamond mine (a. Tr. 19-20). Appellants testified that they use the mill to crush ore from the dump into a material they call mineralizer which is used as plant food (a. Tr. 158-65). No other mineral product has been sold from the mining operation (a. Tr. 168).

Judge Steiner found that the United States had presented a prima facie case that no discovery of a valuable mineral deposit has been made on any of the mining claims (Dec. 16). He then found that appellants introduced no probative evidence "of the exposure of a vein or lode of mineralized rock in place on any contested claim bearing sufficient gold, silver, copper, lead or zinc values to warrant its development" (*Id.*). With regard to the mineralizer, Judge Steiner found that there was no evidence of its marketability in 1968 when the land was withdrawn (*Id.*). He therefore did not determine whether the mineralizer met the requirements of location as a soil conditioner or soil amendment. Finally, the Judge determined that there was no evidence that the millsites were being used as such at the time of the hearing (Dec. 17). He then declared the mining claims and millsites null and void (*Id.*).

Appellants argue that Judge Steiner's decision was arbitrary and capricious, that the United States did not meet its burden of proof, and that they established discoveries. They also argue that the Judge's decision is not supported by substantial evidence, that he misapplied the law, and that he incorrectly considered the claims as a whole rather than individually. In particular, appellants argue that Rukke testified to discoveries on the Glacier and Davenport claims and that Weiler never examined these claims on the ground. Similarly, they assert a discovery on the Hub claim which Weiler was unable to examine. They further argue that the testimony at the hearing indicated discoveries on the Granite Nos. 1 and 2 claims and on the Elsie, Dorothy, Ontario, Sierra Grande and Stem Winder

claims. Finally, appellants assert that the mineralizer constitutes a valuable mineral deposit on the Diamond No. 1 claim. Appellants made no specific arguments regarding the other mining claims or the millsites.

The United States replies to appellant's arguments by pointing out that Weiler examined every claim that was accessible and concluded as to each that no discoveries of valuable mineral deposits had been made by appellants. It argues that this constituted a prima facie case which appellants failed to rebut. It asserts that at most appellants only showed that further exploration might be justified. The Government discounts the sale of mineralizer as occurring well after the withdrawal date and argues in any event that the material was not removed from a claim in issue and was sold in a questionable transaction to persons with an interest in appellant's corporation. The Government also alleges error by Judge Steiner, albeit harmless, in refusing to admit the assay reports into evidence.

In his decision, Judge Steiner outlined the evidence and law in holding the claims null and void. For the reasons discussed below, we find appellant's arguments unpersuasive and affirm Judge Steiner's decision. Our only disagreement with Judge Steiner's rulings concerns his rejection of certain evidence as inadmissible at the hearing, as will be discussed below. We have reviewed the entire record and see no reason for changing the Judge's conclusions and findings.

[1] With regard to the four contested millsites, Judge Steiner properly held them null and void. Appellants did not contradict or dispute Weiler's testimony that he found no quartz or reduction works on the sites and that they are not being used for mining or milling purposes. The mill used to grind rock into mineralizer was located on a mining claim, not on a millsite. Where millsites are not used for mining or milling purposes in conjunction with a mining claim, and where no quartz or reduction works exist on the millsites, the millsites are properly declared null and void. 30 U.S.C. § 42 (1970); United States v. Dietemann, 26 IBLA 356, 364 (1976); United States v. Cuneo, 15 IBLA 304, 81 I.D. 262 (1974).

[2] In order to establish the existence of a discovery on a lode mining claim, there must be found within the limits of the claim a vein or lode of quartz, or other rock in place, bearing mineral of such quality and quantity that a person of ordinary prudence would be justified in the further expenditure of his labor and means, with a reasonable prospect of success, in developing a paying mine. Barton v. Morton, 498 F.2d 288 (9th Cir.), cert. denied, 419 U.S. 1021 (1974); United States v. The American Fluorspar Group, Inc., 25 IBLA 136, 141 (1976); United States v. Vaux, 24 IBLA 289, 298

(1976). Appellants correctly state that where more than one claim is at issue, a ruling must be made on the issue of discovery for each claim. California v. Doria Mining and Engineering Corp., 17 IBLA 380, 396-97 (1974), aff'd, Doria Mining and Engineering Corp. v. Morton, 420 F. Supp. 837 (C.D. Cal. 1976), appeal pending. This rule applies both ways, *i.e.*, the contestee in a multiclaim mining contest cannot group the claims together as one discovery but must establish a discovery on each claim. Judge Steiner discussed the testimony on each claim and specifically found that there was no evidence of a mineral deposit on any claim which meets the above test.

[3] In mining claim contests, the United States has assumed the burden of establishing a prima facie case that no discovery has been made by the contestee; the burden of proof then shifts to the contestee to show by a preponderance of the evidence that a discovery has been made and still exists within the limits of each claim. Humboldt Placer Mining Co. v. Secretary of the Interior, 549 F.2d 622, 624 (9th Cir. 1977); United States v. Zweifel, 508 F.2d 1150, 1157 (10th Cir.), cert. denied, 423 U.S. 829 (1975); United States v. Garner, 30 IBLA 42, 66 (1977). Evidence that might justify further exploration is insufficient either to establish a valid discovery or to overcome a prima facie case of lack of discovery. United States v. McClurg, 31 IBLA 8, 11 (1977); United States v. Taylor, 25 IBLA 21, 25 (1976).

[4] A prima facie case is established by the United States when a government mineral examiner testifies that he examined each claim and could find no evidence showing the discovery of a valuable mineral deposit. United States v. McClurg, *supra* at 11; United States v. Reynders, 26 IBLA 131, 134 (1976). Without further discussion, we affirm Judge Steiner's decision with regard to the following lode mining claims: Diamond Nos. 2 and 3, Granite No. 4, Aberdeen, Bremerton, Dakota, Home, Spion Kop, Tacoma, Twinfalls, Kalpa Nos. 1, 2 and 3, Brazil, Iceland, Greenland, Horseshoe, Manitoba, Berlin, Montana, and Cliff. Weiler stated he examined each of these claims on the ground and found no evidence of valid discoveries. Appellants neither testified that a discovery exists on any of these claims nor introduced any probative evidence of discovery (see a. Tr. 127, 180, 181, 183; b. Tr. 29).

[5] In this regard, Judge Steiner erred in refusing to admit the assay reports described above into evidence. It is well settled that the hearsay rule of evidence under which Judge Steiner excluded these reports is not strictly adhered to in administrative proceedings, particularly where the evidence is competent and relevant, such as assay reports with a proper foundation concerning the sampling, the submission of the samples to the assayer and the assayer's reputation. 5 U.S.C. § 556(c), (d) (1970); United States v. Jones, 2 IBLA 140, 145-46 (1971); United States v. Stevens, 76 I.D. 56 (1969); *see, e.g.*, Willapoint Oysters, Inc. v. Ewing, 174 F.2d 676,

690-91 (9th Cir.), cert. denied, 338 U.S. 860 (1949). After the assay reports are admitted into evidence, the factfinder may accord them appropriate weight in his deliberations according to the circumstances surrounding the particular report. See, e.g., United States v. Avgeris, 8 IBLA 316 (1972); United States v. Guthrie, 5 IBLA 303, 308 (1972). The Judge's rulings at the hearing excluding evidence simply because it is hearsay are not adhered to. There was a sufficient foundation to accord the assay reports submitted by the Government some weight. However, proposed Exhibit E, a report made in 1948, would be given little, if any, weight since there was an insufficient foundation to support the showings stated in the report. However, as counsel for the United States suggested, this error was harmless.

[6] When a mineral examiner testifies for the United States that a discovery has not been made on a mining claim, his opinion must be based on a proper factual foundation. However, he is not required to perform discovery work, to explore or sample beyond a claimant's working, or to excavate or rehabilitate any purportedly mineralized area which is concealed by overburden or is otherwise difficult of access. United States v. Arizona Mining and Refining Co., Inc., 27 IBLA 99, 107 (1976); United States v. Reynders, supra at 134.

Weiler testified that he examined the Granite Nos. 1 and 2, Dorothy, Elsie, Midas Nos. 1 and 2, Sierra Grande, Stem Winder and Ontario claims (a. Tr. 38-40, 42-43, 61-66). He stated that he found no evidence of mineralization from which to remove samples except on Dorothy and Elsie (Ex. 4). He also stated that he asked Rukke to make the tunnel on the Hub claim accessible but that each time he visited the claim it was blocked by snow or flooded (a. Tr. 48-49).

On the other hand, appellants testified that in their opinion discoveries existed on each of these claims (a. Tr. 128, 148, 179-82). However, appellants introduced no probative evidence showing discoveries existed on these claims. Rukke agreed that the tunnel on the Hub claim was blocked with water (a. Tr. 148, 152). Moreover, the Government at the second hearing introduced two revised offering circulars submitted on behalf of Valumines, Inc., to the Securities and Exchange Commission in 1975 and 1976 (Exs. 10 and 11). Rukke and Soren are officers of Valumines and the statements in the circulars were made with their knowledge. Both of these circulars state, inter alia, that there is no commercially mineable ore body found on the company's property, that the proposed work is exploratory in nature except for the mill, and that in the absence of any known ore for mill feed there is no justification for a mill of any type. While Mr. Rukke and Mr. Soren attempted to justify these statements as being made only to meet the S.E.C. requirements, they

tend to impeach or at least cast considerable doubt about the optimistic statements of these witnesses concerning alleged discoveries within the claims.

As we stated above, once the United States establishes a prima facie case that no discovery exists, the contestees must show the existence of a discovery by a preponderance of the evidence. The claimant bears the ultimate burden of proof, the risk of nonpersuasion, on the issue of discovery, and failure to meet this burden will precipitate a ruling against the claimant. United States v. Taylor, 19 IBLA 9, 24-25, 82 I.D. 68, 73-74 (1975). Here, appellants failed to meet this burden. Their evidence consists only of questionable opinion testimony and alleged lost discovery sites. Such evidence does not rebut, let alone preponderate over, testimony by a government mineral examiner that he has examined the claims and could find no indication that a discovery of a valuable mineral deposit has been made.

Of the 40 mining claims contested, Weiler stated that he did not physically examine eight. Under proper circumstances, the United States may establish a prima facie case of lack of discovery even though its mineral examiner was not physically present on each claim. United States v. Long Beach Salt Co., 23 IBLA 41, 44-45 (1975); United States v. Zweifel, 11 IBLA 53, 89, 80 I.D. 323, 339 (1973), aff'd sub nom., Roberts v. Morton, 549 F.2d 158 (10th Cir. 1977), cert. applied for, 46 U.S.L.W. 3022 (June 26, 1977) (No. 76-1812, 1976 Term).

With regard to the Glacier, Davenport, Skagit, Summit, Daveno, Tiger Jack, and Granite No. 3 mining claims, Weiler testified that they were inaccessible due to snow and glacial thawing causing rock slides (a. Tr. 43-44). He also testified that he could not examine a purported discovery site on the Tiger claim because it was 200 feet off the ridge line and the claimants provided no means to examine the cliff (a. Tr. 44-45). He stated that the adit which began on the Hub claim extended onto the Davenport claim. He could not examine this purported discovery because the adit was flooded or blocked by snow as described above regarding the Hub claim. Weiler examined all these claims through binoculars from a helicopter and observed no evidence of mineralization or mining activity (a. Tr. 45, 99). He testified that Rukke stated to him, "I don't have anything to show you" on the inaccessible claims (a. Tr. 98). Finally, Weiler could find no record of production from these claims (a. Tr. 49).

Appellants presented no specific testimony or evidence relating to the Daveno, Tiger Jack, Granite No. 3 or Tiger claims. Rukke testified that he had never been on the Summit or Skagit claims but that maps in his possession and his greatuncle's records indicate that discoveries have been made on these two claims (a. Tr. 126-27). He

also testified that a discovery site exists on the Glacier claim but that he could not show it to Weiler because it was covered with snow when they flew over the claim (a. Tr. 127-28). Finally, he described the purported discoveries in the tunnel on the Davenport claim (a. Tr. 128) but agreed the tunnel was inaccessible (a. Tr. 148, 152). Appellant Soren did not testify as to discoveries on these claims. The only probative evidence introduced by appellants was the 1948 report by Lindsley (Ex. E) which was purportedly based on samples taken from the Glacier and Davenport claims.

Under the principles stated above regarding the duties of the Government's mineral examiner, we find that Weiler had sufficient basis for forming an expert opinion that no discovery had been made on the inaccessible mining claims. See United States v. Long Beach Salt Co., *supra*; United States v. Zweifel, 11 IBLA 53, *supra*. As explained above, such an expert opinion by the Government's mineral examiner constitutes a prima facie case of lack of discovery which the contestee must overcome by a preponderance of the evidence. Appellants did not do so. Their 1948 "assay" report (Ex. E) can be given little or no weight because there is no indication where or how the samples were taken. See United States v. Avgeris, *supra*; United States v. Guthrie, *supra*. They offered no evidence other than the opinion of Rukke that discoveries of valuable minerals deposits exist on these claims. Such opinion does not preponderate over the opinion of the Government's mineral examiner, especially in view of the admissions in exhibits 10 and 11. These claims were properly declared null and void by Judge Steiner.

[7] The final claim at issue, and the only claim on which appellants allege production, is the Diamond No. 1. Appellants are using the mill on the mining claim to crush material taken from either the waste dump or from the face of the adit on the patented Diamond mine (b. Tr. 43). The resulting product is called "mineralizer" and appellants plan to sell it as plant food to provide minerals absent from soil (a. Tr. 158-65). A check for one sale at \$50 per ton for 12 tons was stipulated at the hearing (b. Tr. 35-36), although it was also established that the purchaser was a director and vice-president of Valumines (b. Tr. 40-41). Rukke and Soren testified to other orders, and sales in the amount of \$1,200, but no proof was submitted (a. Tr. 185, 191-92; b. Tr. 36). 2/

2/ Appellants introduced a 1976 semi-quantitative spectrographic analysis of a mineralizer sample showing the percentages of various trace elements (Ex. G) and a 1976 certificate of registration issued by the State of Washington listing the guaranteed percentages for the various trace elements which may be printed on the mineralizer packaging (Ex. J). No scientific or other probative evidence was introduced showing the precise effect of the mineralizer on the soil and plants.

In order to establish the mineralizer as a valuable mineral deposit, assuming the ore exists on the Diamond No. 1 claim, appellants would have to show at the very least: (1) that the mineralizer could have been marketed at a profit on October 2, 1968, the date the land here was withdrawn from the operation of the mining laws by the establishment of the national park; (2) that the mineralizer could be marketed at a profit on the date of the hearing; and (3) that the mineralizer effects a beneficial chemical change when added to the soil and does not merely improve the physical quality of the soil (United States v. Robinson, 21 IBLA 363, 82 I.D. 414 (1975); United States v. Bunkowski, 5 IBLA 102, 79 I.D. 43 (1972)).

Judge Steiner found in his decision that "while there is some testimony in the record that mineralizer was sold some twelve to fifteen years before 1976, the mining claimants have failed to introduce specific evidence of the sales volume and extent of the demand for mineralizer, to establish the marketability thereof, as of October 2, 1968" (Dec. 16). He did not rule on marketability as of 1976 nor whether appellants showed that the mineralizer effects a beneficial chemical change (Dec. 17).

Appellants have not challenged this holding by the Judge. They offered no arguments or additional evidence concerning the market for mineralizer in 1968. When land is withdrawn from the operation of the mining laws, subject to valid existing rights, the validity of a mining claim located prior to the withdrawal must be established as of the date of the withdrawal as well as of the date of the hearing. United States v. Garner, *supra* at 66; United States v. Arcand, 23 IBLA 226, 228 (1976). Appellants have failed to show a discovery of a valuable mineral deposit on the Diamond No. 1 mining claim as of October 2, 1968, the date the land within the claim was withdrawn by the creation of the North Cascades National Park. Judge Steiner properly found the claim null and void for this reason alone.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision of Administrative Law Judge R. M. Steiner holding various mining claims and millsites null and void is affirmed.

Joan B. Thompson
Administrative Judge

We concur:

Frederick Fishman
Administrative Judge

Newton Frishberg
Chief Administrative Judge

APPENDIX

<u>Contest</u>	<u>Contestees</u>	<u>Mining Claims</u>
OR-14220 (Wash.)	Robert A. Rukke, Registered Agent (RA), Valumines, Inc., Milo Moore, George Dunlop, Gene Dunlop, William Soren	Sierra Grande (aka Sierra Grand and Siera Grand), Stem Winder, Ontario, Iceland, Greenland, * Glacier (aka Ruth), Granite #1 through #4 (aka Dale #1 through #4), Hub, New Davenport (aka Rose aka Davenport), Skagit (aka Sopaca), Summit (aka Top), Tiger (aka Le Sabre), Aberdeen, Bremerton, Dakota, Daveno, Home, Kalpa #1 through #3, Spion Kop, Tacoma, Tiger Jack (aka Dale #4), and Twinfalls Lode Mining Claims and Davenport Bridge Creek, Kalpa, and Twinfalls Millsites
OR-14257 (Wash.)	Robert A. Rukke, RA, Valumines, Inc.	Midas Nos. 1 and 2 Lode Mining Claims
OR-14258 (Wash.)	Robert A. Rukke, RA, Valumines, Inc., Jesse Sapp	Cliff Lode Mining Claim
OR-14259 (Wash.)	Robert A. Rukke, RA, Valumines, Inc.	Elsie, Dorothy, and Horseshoe Lode Mining Claims
OR-14260 (Wash.)	Robert A. Rukke, RA, Valumines, Inc., William and Wilhemina Soren, George Dunlap (aka George Dunlop), Estate of Eugene Francis Dunlap (aka Gene Dunlop)	Manitoba Lode Mining Claim

* / The mining claims beginning with Glacier and the millsites were not part of the original contest complaint No. OR-14220 (Wash.) but were added by motion of the United States which was granted by Judge Steiner at the hearing (a. Tr. 75-77).

OR-14261 (Wash.)	same	Montana Lode Mining Claim
OR-14262 (Wash.)	same	Brazil Lode Mining Claim
OR-14263 (Wash.)	same	Berlin Lode Mining Claim
OR-15068 (Wash.)	Robert A. Rukke, RA, Valumines, Inc.	Diamond No. 1 Lode Mining Claim
OR-15069 (Wash.)	Robert A. Rukke, RA, Valumines, Inc., William Soren	Diamond No. 2 Lode Mining Claim
OR-15070 (Wash.)	same Claim	Diamond No. 3 Lode Mining

